IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
Civil Application No.2316 of 2006
in
Writ Petition No.6082 of 2006

Bharatiya Bhavan Co-op.Housing
Society Ltd. & Anr. .. Petitioners
vs.
Mrs.Krishna Harinarayan Bajaj & Anr.. Respondents
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Shri M.S.Karnik i/b M/s Bhaishankar Kanga & Girdharlal for the petitioners.

S/Shri Cyrus Ardeshir with Vipin Kamdi i/b V.M.Sharma for the respondents.
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CORAM : R.M.S.KHANDEPARKAR, J

DATED : 20th October, 2006

P.C.

. Heard. Undisputedly, the amount of Rs.60 lakhs has already been attached. There shall be no difficulty for the concerned authority to release the amount of Rs.50 lakhs out of the said amount in favour of the decree holder/respondent. As regards the balance amount of Rs.10 lakhs, the same shall not be released initially for a period of eight weeks from today, subject to the petitioner depositing the sum of Rs.20 lakhs within the said period of eight weeks. In case the petitioner deposits the said amount of Rs.20 lakhs in this Court, the said amount of Rs.10 lakhs

shall also to be added to the said amount of Rs.20 lakhs, and the amount of Rs.30 lakhs shall be invested in any nationalised bank and the same shall be subject to the final or further order in the Writ Petition No.6082 of 2006. In case the petitioner fails to deposit the sum of Rs.20 lakhs within the said period of eight weeks, restraint for release of Rs.10 lakhs shall automatically stand revoked on expiry of the period of eight weeks. Needless to say that the release of Rs.50 lakhs or any additional amount shall be subject to the regular procedure and conditions regarding safeguard to be taken while disbursing the amount in favour of the decree holder/respondent. The application accordingly stands disposed of.

(R.M.S.KHANDEPARKAR, J)